

THIRD AMENDMENT TO
AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES
BETWEEN THE CITY OF UPLAND
AND
INTERWEST CONSULTANTING GROUP, INC.

THIS THIRD AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES (the "Third Amended Agreement") is made as of the 10th day of May 2021, by and between the City of Upland (the "City"), and Interwest Consulting Group, Inc., a Colorado corporation (the "Consultant"). Collectively, City and Consultant are referred to herein as the "Parties".

WITNESSETH THAT:

WHEREAS, City and Consultant previously entered into an original Agreement for Professional Consultant Services dated July 1, 2017 (the "Original Agreement") for the service delivery period of July 1, 2017 through July 1, 2020 (the "Term"); and

WHEREAS, pursuant to the Original Agreement, during the Term the Consultant is to provide a variety of professional services tasks in support of the City's Development Services Department primarily related to Building Official, Building Plan Check, Building Inspection and Permit Technician related activities, as defined within Exhibit "A" to the Original Agreement; and

WHEREAS, on August 13, 2018, the City Council approved an Amendment (the "First Amendment") to the Agreement to clarify a discrepancy that the Original Agreement that the Consultant's costs during its three-year term was not to exceed \$250,000 per fiscal year or a total of \$750,000 over three years; however, the Original Agreement only included a \$250,000 funding authorization; and

WHEREAS, on May 26, 2020, the City Council approved an Amendment (the "Second Amendment") which utilized the first of two, one-year extensions and extended the term of the Agreement from July 1, 2020 to July 1, 2021 at a "not to exceed" amount of \$194,000; and

WHEREAS, the Consultant's services and charges are provided on an as-needed basis in response to the demand for such services and may fluctuate from time to time; and

WHEREAS, to ensure that the Consultant's services continue on an uninterrupted basis, it is necessary to amend the Original Agreement to provide for a one-year extension of the Agreement beginning from July 1, 2021 and ending on July 1, 2022, and to authorize up to \$210,000 during the one-year extension of this Agreement, as further described herein and as depicted in Exhibit "A" Payment Rates and Schedule for Fiscal Year 2020-21; and

WHEREAS, the Consultant's assigned staff member continues to provide services to the Development Services Department in a thorough and professional manner and significantly contribute to the Department's ability to serve its customers; and

WHEREAS, Consultant's costs are included with City's FY 2021-22 budget; and

WHEREAS, it now becomes necessary to amend said Agreement and the Parties are desirous of such amendment.

NOW, THEREFORE, in consideration of the mutual undertakings herein, the Parties amend the Agreement as follows:

1. On page one (1), within the Section entitled "PAYMENT", Subsection (a) is amended to include a sentence at the end of said subsection as follows:

"For Extended Year Two beginning July 1, 2021 and ending July 1, 2022, the total amount payable to Consultant for its professional services tasks shall not exceed a total of \$210,000, as set forth in Exhibit "A" of the Third Amendment, unless specifically authorized by the City Manager, or designee."

2. All remaining provisions of the Original Agreement shall remain the same.

(Signatures on Following Page)

IN WITNESS WHEREOF, the City and Consultant have approved this Third Amended Agreement effective the day and year first above written.

CITY:

CONSULTANT:

City of Upland

Interwest Consulting Group, Inc.

By:



Stephen Parker,
Acting City Manager

By:


Ron Beehler,
Building Services Director


ATTEST:

By:


Keri Johnson,
City Clerk

APPROVED AS TO FORM:

By:


Stephen Deutsch,
City Attorney

<p align="center">Exhibit "A" FY 2021-2022</p>
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PAYMENT RATES AND SCHEDULE**PART I - BUILDING & SAFETY SERVICES BASED ON HOURLY FEE STRUCTURE**

<u>Certified Classification</u>	<u>Hourly Rate</u>
Deputy Building Official	\$ 103
Building Official	125
Permit Technician I	50
Permit Technician II	57
Permit Technician III	65
Plan Check Specialist I	82
Plan Check Specialist II	92
Plan Check Specialist III	103
Plan Check Engineer	115
Senior Plan Check Engineer	120
Structural Plan Check Engineer	130
Building Inspector I	75
Building Inspector II	83
Building Inspector III	90
CASp Specialist	105

Rates are typically reviewed yearly on July 1 and may be subject to revision unless under specific contract obligations. Mileage utilized while performing inspection services within the city will be charged at the current IRS Vehicle Mileage Rate.

PART II - BUILDING & SAFETY PLAN CHECK FEES BASED ON CITY FEES

We propose the following fee schedule for plan check services performed off site based on the City's Master Fee Schedule:

- 65% for first time check and any required re-check.
- 95% for expedited plan check.
- There is no charge for courier or shipping services.